

Rodney M. Goodman et al.
Application No.: 10/054,550
Page 5

PATENT

REMARKS

Claims 35-50 are pending in the present application. Claims 1-34 have been canceled, without prejudice. Claims 35-36 have been amended. Claims 40-50 have been added.

No new matter has been added to the new or the amended claims. Support for the new claims amended can be found in the original disclosure.

Restriction Requirement

Claims 1-39 were subject to a four-way restriction requirement. Claims 1-18 and 25-39 were withdrawn from consideration.

A provisional election was made over the phone to prosecute claims 19-24. Applicants now wish to prosecute claims 35-39 in Group IV. Claims 1-34 are canceled without prejudice in the present amendment. Applicants reserve the right to pursue these claims in another divisional application.

Claims 35-39

Applicants hereby request the examination of claims 35-50. Claim 35 recites a method of forming an analyte detection sensor that is not disclosed in or suggested by U.S. Patent 5,571,401 to Lewis et al.

Claim 35 recites the following steps for forming a sensor:

forming a first conductive layer over the substrate;
forming a first insulating layer over the first conductive layer;
patterning and etching a sensor well in the first conductive layer; and
forming a sensor material in the sensor well, wherein the sensor material has an electrical property that changes in the presence of an analyte.

Although Lewis et al. mentions that sensor arrays can be formed using integrated circuit design technologies (col. 6, lines 47-67), Lewis et al. does not disclose the method of forming an analyte detection sensor recited in claim 35. Therefore, it is respectfully submitted that claims 35-39 are novel and nonobvious over the cited references.

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Rodney M. Goodman et al.
Application No.: 10/054,550
Page 6

New Claims 40-50

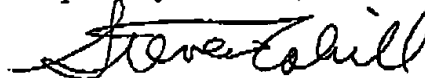
Support for new claims 40-50 can be found in the specification of the present application, for example, in figure 4 and at page 17, line 29 - page 20, line 6. Additional support for claim 44 can be found, for example, in figures 14-15 and at page 31, line 11 - page 34, line 13. Additional support for claims 49-50 can be found, for example, at page 14, lines 4-16.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



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